

DEC 21 2007

Patent Application
Attorney Docket No.: 52493.000133

REMARKS

The Office Action dated January 26, 2007, has been received and carefully considered. Claims 1-5, 7-11, 13-17, 19 and 20-23 are currently pending. Please amend claims 1, 7 and 13 as set forth above. Reconsideration of the outstanding rejections in the present application is respectfully requested based on the following remarks.

II. **THE OBVIOUSNESS REJECTION OF CLAIMS 1-5, 7-11, 13-17 AND 19-23**

On page 2 of the Office Action, claims 1 was rejected under 35 U.S.C. § 103(a) as being unpatentable over information available from the web site of Climark on the product Advisors Assistant. On page 4 of the Office Action, claims 4, 10 and 16 were rejected under 35 U.S.C. §103(a) as being unpatentable over Advisors Assistant further in view of Examiner's use of Official Notice, and further in view of Hanby (U.S. Patent No. 7,143,051). On page 5 of the Office Action, claims 5, 11 and 17 were rejected under 35 U.S.C. §103(a) as being unpatentable over Advisors Assistant further in view of Examiner's use of Official Notice, and further in view of Applicant's Alleged Admission of Prior Art. On page 6 of the Office Action, claims 19 and 20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Advisors Assistant further in view of Examiner's use of Official Notice. On page 7 of the Office Action, claims 21-23 were rejected under 35 U.S.C. §103(a) as being unpatentable over Advisors Assistant further in view of Examiner's use of Official Notice, and further in view of Hanby. This rejection is hereby respectfully traversed.

Although Applicant does not agree with the pending rejection, Applicant has nonetheless amended each of the independent claims to clarify the claimed systems and methods and better distinguish the cited references. In particular, the independent claims have been amended to recite: "wherein the detailed agent identifying information or the detailed agent

policy/account, client, product, estimated gross commission and estimated procurement date; and wherein initiation of the policy/account generates a paid and pending commissions report comprising particulars on policy number, client name, product, company, issue date, estimated commission procurement date, face amount, premium, premium mode, issue age, split%, commissionable amount, commissionable rate, estimated gross commission and reference number.”

Applicant respectfully submits that Agency Assistant does not teach or suggest wherein the detailed agent identifying information or the detailed agent commission information is sorted and searchable by the following hyperlinks: agent name, policy/account, client, product, estimated gross commission and estimated procurement date; and wherein initiation of the policy/account generates a paid and pending commissions report comprising particulars on policy number, client name, product, company, issue date, estimated commission procurement date, face amount, premium, premium mode, issue age, split%, commissionable amount, commissionable rate, estimated gross commission and reference number,” as expressly recited in claim 1. Rather, Applicant respectfully submits that Agency Assistant does not disclose any feature or functionality that sets forth each and every hyperlink nor the generation of the report particulars upon initiation of the policy/account hyperlink, as set forth in independent claim 1.

Applicant agrees with the Examiner that Agency Assistant does not teach or suggest the step of sorting agent identifying information and agent commission information. However, Applicant respectfully disagrees with the Examiner's taking official notice that it was well known in the electronic arts to sort information or data, and that the purpose of sorting information or data was to provide a means to display the information in a more logical and user friendly fashion. Applicant traverses this rejection because there is no support in the record for

the conclusion that the identified features are "old and well known." In accordance with MPEP § 2144.03, the Examiner must cite a reference in support of his position.

Independent claims 7 and 13 recite language that is similar to the recitations of claim 1, and are thus allowable for at least the reasons set forth above.

Claims 2-5, 8-11, 14-17, and 19-23 are dependent upon independent claim 1, 7 or 13. Thus, since independent claims 1, 7 and 13 should be allowable as discussed above, claims 2-5, 8-11, 14-17, and 19-23 should also be allowable at least by virtue of their dependency on independent claim 1, 7 or 13. Moreover, these claims recite additional features which are not claimed, disclosed, or even suggested by the prior art. For example, regarding claims 19 and 20 the Examiner alleges that Agency Assistant does not explicitly disclose agent identifying information including an address and a telephone number, but takes Official Notice that it was well known in the electronic arts to ask for additional identifying information from users when accessing electronic sites for information. The Applicants traverse this rejection because there is no support in the record for the conclusion that the identified features are "old and well known." In accordance with MPEP § 2144.03, the Examiner must cite a reference in support of his position.¹

In view of the foregoing, it is respectfully requested that the aforementioned obviousness rejection of claims 1-5, 7-11, 13-17, 19-23 be withdrawn.

IV. CONCLUSION

In view of the foregoing, it is respectfully submitted that the present application is in condition for allowance, and an early indication of the same is courteously solicited. The

¹ In the last response, Applicant requested that the Examiner provide a reference in support of his position, but the Examiner failed to do so in the latest Office Action.

Examiner is respectfully requested to contact the undersigned by telephone at the below listed telephone number, in order to expedite resolution of any issues and to expedite passage of the present application to issue, if any comments, questions, or suggestions arise in connection with the present application.


To the extent necessary, a petition for an extension of time under 37 CFR § 1.136 is hereby made.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-0206, and please credit any excess fees to the same deposit account.

Respectfully submitted,

Hunton & Williams LLP

By:


Ozzie A. Farres
Registration No. 43,606

Hunton & Williams LLP
1900 K Street, N.W.
Washington, D.C. 20006-1109
Telephone: (202) 955-1500
Facsimile: (202) 778-2201

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